

Appl. No. 10/840,042
Docket No. 9630
Amdt. dated July 30, 2009
Reply to Office Action mailed on May 1, 2009
Customer No. 27752

REMARKS

Claim Status

Claim 1 has been amended to define the claimed invention with greater specificity by reciting that one of the first and second surfaces exhibits a deformation height of at least about 1000 μm and the other surface exhibits a deformation height of at least about 650 μm . Support for this amendment is found in the Specification and in the Claims as originally filed.

Claim 11 has been cancelled without prejudice. The subject matter of Claim 11 has been incorporated into Claim 1, as amended.

Claims 1, 5, 7-10, and 12-15 are pending in the present application. No additional claims fee is believed to be due.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §102(a) as anticipated by or, in the alternative, under 35 USC §103(a) Over U.S. Patent Publication No. 2004/0099388 as evidenced by U.S. Patent No. 6,740,373

Claims 1, 5, 7-9, and 11-15 are rejected by the Examiner under 35 USC §103(a) as allegedly being as anticipated by or, in the alternative, under 35 USC §103(a) as allegedly defining obvious subject matter over U.S. Patent Publication No. 2004/0099388 to Chen, et al. (“Chen”) as evidenced by U.S. Patent No. 6,740,373 to Swoboda, et al. (“Swoboda”). The Examiner asserts that Chen discloses a tissue product in roll form comprising a wet laid or air laid fibrous structure having a patterned three-dimensional configuration of raised web portions molded into the web and projecting out of the surface, wherein the tissue product an adhesive. The Examiner asserts that Swoboda teaches that commercially available conventional latexes have Tg's in the claimed range.

Applicants respectfully submit that Chen as evidenced by Swoboda fails to teach each and every element of Claim 1, the independent claim, as amended, because Chen as

Appl. No. 10/840,042
Docket No. 9630
Amdt. dated July 30, 2009
Reply to Office Action mailed on May 1, 2009
Customer No. 27752

evidenced by Swoboda fails to teach that its adhesive is present on a surface of its tissue product in a random pattern. Applicants respectfully submit that Chen teaches that its adhesive is flexographically printed on its tissue product in a bar pattern. Chen, paragraph [0185]. As shown in Figs. 4 through 8 of Chen, Chen uses rolls with defined patterns that print its adhesive onto its tissue product in a bar pattern.

In light of the foregoing, Applicants respectfully submit that Claim 1, as amended, is not anticipated by nor rendered obvious over Chen as evidenced by Swoboda. Further, Applicants submit that Claims 5, 7-9, and 12-15 (Claim 11 has been cancelled), which ultimately depend from Claim 1, as amended, are not anticipated by nor rendered obvious over Chen as evidenced by Swoboda.

Rejection Under 35 USC §103(a) Over U.S. Patent Publication No. 2004/0099388 in view of U.S. Patent No. 4,507,173

Claim 10 is rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over Chen, discussed above, in view of U.S. Patent No. 4,507,173 to Klowak, et al. (“Klowak”).

Applicants respectfully submit that Claim 10, which ultimately depends from Claim 1, as amended, is not rendered obvious over Chen in view of Klowak for the same reasons that Claim 1, as amended, is not anticipated by nor rendered obvious over Chen , as discussed above. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 6,893,525 in view of U.S. Patent Publication No. 2005/80045294 and as evidenced by U.S. Patent No. 6,740,373

Claims 1, 5, 7-9, and 12-15 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over U.S. Patent No. 6,893,525 to Schmidt, et al. (“Schmidt”) in view of U.S. Patent Publication No. 2005/80045294 to Goulet, et al. (“Goulet”) and as evidenced by Swoboda, discussed above.

Applicants respectfully submit that Schmidt in view of Goulet and as evidenced by Swoboda fails to teach each and every element of Claim 1, the independent claim, as amended, because Schmidt in view of Goulet and as evidenced by Swoboda fails to teach a wet laid fibrous structure have a surface that exhibits a deformation height of at least

Appl. No. 10/840,042
Docket No. 9630
Amdt. dated July 30, 2009
Reply to Office Action mailed on May 1, 2009
Customer No. 27752

about 1000 µm and another surface that exhibits a deformation height of at least about 650 µm. Accordingly, Applicants submit that Claim 1, as amended, is not rendered obvious over Schmidt in view of Goulet and as evidenced by Swoboda. MPEP 2143.03. Further, Applicants submit that Claims 5, 7-9, and 12-15, which ultimately depend from Claim 1, as amended, are not rendered obvious over Schmidt in view of Goulet and as evidenced by Swoboda. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 6,893,525 in view of U.S. Patent Publication No. 2005/80045294 and as further in view of U.S. Patent No. 4,507,173

Claim 10 is rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over Schmidt in view of Goulet and as further in view of Klowak, all discussed above.

Applicants respectfully submit that Claim 10, which ultimately depends from Claim 1, as amended, is not rendered obvious over Schmidt in view of Goulet and further in view of Klowak for the same reasons that Claim 1, as amended, is not anticipated by nor rendered obvious over Schmidt in view of Goulet, as discussed above. MPEP 2143.03.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In view of the foregoing, entry of the amendment(s) presented herein, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By /C. Brant Cook/
Signature
C. Brant Cook

July 30, 2009
Customer No. 27752
(Amendment-Response to Office Action.doc)
Revised 2/9/09

Registration No. 39,151
(513) 983-1004